



**COTTONWOOD HEIGHTS CITY**  
DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT

**ADMINISTRATIVE HEARING MINUTES**

May 6, 2020

Cottonwood Heights Community and Economic Development Director, Michael Johnson held an Administrative Hearing Meeting on **Wednesday, May 5, 2020 at 12:00 p.m.** In view of the current COVID-19 pandemic, this meeting occurred electronically, without a physical location, as authorized by the Governor's Executive Order 2020-05 dated 18 March 2020. The public was able to remotely hear the open portions of the meeting through live broadcast by connecting to <http://mixlr.com/chmeetings>

**Staff Present: CED Director Michael Johnson, Assistant Planner Samantha DeSeelhorst, Deputy City Recorder Heather Sundquist**

**Others Present: Morgan Handley**

Community and Economic Development Director Michael Johnson introduced himself, stated his position as the Community and Economic Development Director and Hearing officer for the City. Director Johnson called the meeting to order and welcomed those attending the meeting via Zoom.

**Business Items**

**1.1. (Project CUP-20-008)**

Request from Morgan Handley, on behalf of Lydia Riley, for a wall height extension at 2873 E. Elk Horn Ln.

Assistant Planner Samantha DeSeelhorst shared a PowerPoint presentation and gave an overview of the project.

The applicant is proposing to construct a 5-foot vinyl fence along the western (rear) property line at 2873 E. Elk Horn Ln. The proposed fence will sit on top of an existing 7-foot retaining wall. This retaining wall was built to retain the slope from the subject property to its adjacent western neighbor. As seen in the image below, the top of the retaining wall sits at grade with the rest of the subject property's rear yard. Because of this, the proposed 5-foot fence would only have an impact of 5 feet on the subject property, but would have an impact of 12 feet on the western neighboring property.

Planner DeSeelhorst stated she had received one public comment for neighbor Charlie Sheh. The comment first thanked the staff for disturbing the notification for the hearing. Due to the high and size of the retaining wall and fence, Mr. Sheh requested that the homeowner be required to purchase an additional risk or homeowner policy to protect the assets of the neighboring properties.

Director Michael Johnson questioned the retaining wall and whether a building permit was obtained during the construction. He also asked for clarification on how the vinyl fence will attach to the retaining wall.

Assistant Planner Samantha DeSeelhorst informed Director Johnson that no building permit was obtained.

Request for the height extension was approved with the criteria that the homeowners must obtain a building permit detailing how the vinyl fence will be attached to the retaining wall. The homeowner must also submit verification that the retaining wall was properly designed and constructed, subject to review by the City Engineer.

**Approval of Minutes for May 6, 2020**

Minutes for the meeting were approved, subject to the procedure for approving current meeting minutes as listed on the agenda.

**Meeting was adjourned at 12:14 pm**